



U.S. MERIT SYSTEMS PROTECTION BOARD

Case Report for June 10, 2022

Note: These summaries are descriptions prepared by individual MSPB employees. They do not represent official summaries approved by the Board itself, and they are not intended to provide legal counsel or to be cited as legal authority. Instead, they are provided only to inform and help the public locate Board precedents.

NONPRECEDENTIAL COURT DECISIONS

Fraternal Order of Police, U.S. Capitol Police Labor Committee v. Department of the Interior, [2021-1690](#) (Fed. Cir. Jun. 8, 2022) (per curiam) (order dismissing the FOP's petition for review for lack of jurisdiction because the FOP does not have standing under 5 U.S.C. §§ 7703(a)(1) and 7121(f) to challenge the arbitrator's decision regarding the removal of an agency employee).

Oram v. Merit Systems Protection Board, [2022-1251](#) (Fed. Cir. Jun. 7, 2022) (MSPB Docket No. AT-4324-20-0476-M-1) (per curiam) (dismissing the petition for review for lack of jurisdiction because the challenged Board decision, which dismissed the appellant's appeal without prejudice subject to refiling, was not an appealable final decision).

Weber v. Department of Veterans Affairs, [19-2004](#) (4th Cir. Jun. 2, 2022) (MSPB Docket No. PH-1221-18-0334-W-3) (per curiam) (applying the *Carr* factors to find that the agency met its burden of proving by clear and convincing evidence that it would have reassigned and terminated the appellant absent her protected disclosures, and affirming the Board's (administrative judge's) decision denying the appellant corrective action in her IRA appeal).

[MSPB](#) | [Case Reports](#) | [Recent Decisions](#) | [Follow us on Twitter](#) | [MSPB Listserv](#)